

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

FILED

Howard Glenn Barrett Jr.

JAN 15 2025

(Enter the full name of the plaintiff.)

JOAN KANE, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY LLR DEPUTY

v.

Case No. CIV-25-64-JD
(Court Clerk will insert case number)

- (1) *Turn Key Health Clinic's LLC*
- (2) *Tommy Johnson II (Okla. County Sheriff)*
- (3) *OKlahoma County Board of Commissioners*

(Enter the full name of each defendant. Attach additional sheets as necessary.)

PRO SE PRISONER CIVIL RIGHTS COMPLAINT

Initial Instructions

1. You must type or legibly handwrite the Complaint, and you must answer all questions concisely and in the proper space. Where more space is needed to answer any question, you may attach a separate sheet.
2. You must provide a full name for each defendant and describe where that defendant resides or can be located.
3. You must send the original complaint and one copy to the Clerk of the District Court.
4. You must pay an initial fee of \$405 (including a \$350 filing fee and a \$55 administrative fee). The complaint will not be considered filed until the Clerk receives the \$405 fee or you are granted permission to proceed *in forma pauperis*.
5. If you cannot prepay the \$405 fee, you may request permission to proceed *in forma pauperis* in accordance with the procedures set forth in the Court's form application to proceed *in forma pauperis*. See 28 U.S.C. § 1915; Local Civil Rule 3.3.

- If the court grants your request, the \$55 administrative fee will not be assessed and your total filing fee will be \$350.
- You will be required to make an initial partial payment, which the court will calculate, and then prison officials will deduct the remaining balance from your prison accounts over time.
- These deductions will be made until the entire \$350 filing fee is paid, **regardless of how the court decides your case.**

7. The Court will review your complaint before deciding whether to authorize service of process on the defendants. *See* 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c)(1). If the Court grants such permission, the Clerk will send you the necessary instructions and forms.

8. If you have been granted permission to proceed *in forma pauperis*, the United States Marshals Service will be authorized to serve the defendants based on information you provide. If you have not been granted permission to proceed *in forma pauperis*, you will be responsible for service of a separate summons and copy of the complaint on each defendant in accordance with Rule 4 of the Federal Rules of Civil Procedure.

COMPLAINT

I. Jurisdiction is asserted pursuant to:

☒ 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) (NOTE: these provisions generally apply to state prisoners), or

☐ *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and 28 U.S.C. § 1331 (NOTE: these provisions generally apply to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

II. State whether you are a:

- ☒ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☐ Pretrial detainee
☐ Immigration detainee
☐ Civilly committed detainee
☐ Other (please explain) was a pretrial detainee when injury

occurred.

III. Previous Federal Civil Actions or Appeals

List each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility.

1. Prior Civil Action/Appeal No. 1

a. Parties to previous lawsuit:

Plaintiff(s): None

Defendant(s): None

b. Court and docket number: None

c. Approximate date of filing: None

d. Issues raised: None

e. Disposition (for example: Did you win? Was the case dismissed? Was summary judgment entered against you? Is the case still pending? Did you appeal?): None

f. Approximate date of disposition: None

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a separate sheet(s).

IV. Parties to Current Lawsuit

State information about yourself and each person or company listed as a defendant in the caption (the heading) of this complaint.

1. Plaintiff

Name and any aliases: Howard Glenn Barvette Jr.

Address: 700 US-81 Union City, OK 73090

Inmate No.: 718951

2. Defendant No. 1

Name and official position: Turn Key Health Clinic's LLC
Medical provider, Oklahoma County Jail

Place of employment and/or residence: 200 N. Startell
OKC, OK 73102

How is this person sued? ☒ official capacity, () individual capacity, () both

3. Defendant No. 2

Name and official position: Tommy Johnson III
Oklahoma County Sheriff

Place of employment and/or residence: 200 N. Startell
OKC, OK 73102

How is this person sued? ☒ official capacity, () individual capacity, () both

If there are more than two defendants, describe the additional defendants using this same format on a separate sheet(s).

IV.

.4 Defendant No 3.

Name and official position: Chairman.
Oklahoma County Board of Commissioners.

Place of Employment and/or
residence: 320 Robert S. Kerr

Room 202 OKC, OK 73102

How is this person sued?

(X) official capacity. () individual
capacity, () both.



V. Cause of Action

Instructions

1. *Provide a short and plain statement of each claim.*
 - Describe the facts that are the basis for your claim.
 - You can generally only sue defendants who were directly involved in harming you. Describe how each defendant violated your rights, giving dates and places.
 - Explain how you were hurt and the extent of your injuries.
2. *You are not required to cite case law.*
 - Describe the constitutional or statutory rights you believe the defendant(s) violated.
 - At this stage in the proceedings, you do not need to cite or discuss any case law.
3. *You are not required to attach exhibits.*
 - If you do attach exhibits, you should refer to the exhibits in the statement of your claim and explain why you included them.
4. *Be aware of the requirement that you exhaust prison grievance procedures **before** filing your lawsuit.*
 - If the evidence shows that you did not fully comply with an available prison grievance process prior to filing this lawsuit, the court may dismiss the unexhausted claim(s) or grant judgment against you. *See* 42 U.S.C. § 1997e(a).
 - Every claim you raise must be exhausted in the appropriate manner.
5. *Be aware of any statute of limitations.*
 - If you are suing about events that happened in the past, your case may be subject to dismissal under the statute of limitations. For example, for many civil rights claims, an action must be brought within two years from the date when the plaintiff knew or had reason to know of the injury that is the basis for the claim.

6. Do not include claims relating to your criminal conviction or to prison disciplinary proceedings that resulted in loss of good time credits.

- If a ruling in your favor "would necessarily imply the invalidity" of a criminal conviction or prison disciplinary punishment affecting the time served, then you cannot make these claims in a civil rights complaint unless you have already had the conviction or prison disciplinary proceeding invalidated, for example through a habeas proceeding.

Claims

List the federal right(s) that you believe have been violated, and describe what happened. Each alleged violation of a federal right should be listed separately as its own claim.

1. Claim I:

(1) List the right that you believe was violated:

(Due Process)
Delayed and complete Dental
or Medical Care which has
Left me completely Blind in my
Left eye.

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

1. Turn Key Health Clinic LLC
2. Tommie Johnson III in
his official capacity.
3. Oklahoma County Board of Commissioners.

1. Claim 1:

(3) continued:

In April of 23 the doctor made an appointment for me to see a eye doctor. I pled guilty in Nov. and in Jan I went to L.A.R.C. to serve my time. I told Lexington I needed an eye doctor to find out what happened.

Two months Later I came to Union City Community Correctional Center. I wait patiently for 2 months and ask them about my appointment with an eye doctor. And they told me they had no idea of what I was talking about.

Two weeks later I was at vision source in OKC, And they told me I had Total Retina Detachment. And referred me to Dean McGee for an Ultra sound of my eye to confirm + to see anything else. And told me it was to late for a surgery.

Two weeks later I was at Dean McGee, and they did the Ultra Sound.
 ⇒ over.

And Continued what Vision Source told me, and also apologized to me and explained the surgery that (could) have been done. But with it being a year and a half since it first started there was too much damage now for them to fix.

(1.) I was in OK County for 13 months. Made a sick call.

(a.) never got seen.

3 months later, made a visit.

(a) was prescribed V. Farnen's, blood pressure pills, eye drops. & made an appointment with Dean McGee.

(2.) "During the next 9 months"

(a) Filed a grievance.

(B) Lost Track of how many sick calls I put in asking about my appointment!

(C) was told I had an appointment, but wasn't allowed to know when for security reasons!

(D) exhausted all remedies. My boss Corporal Slegel even advised his superior. about it at one point. but I still never heard nothing back.

(3.) I lost my eye sight in my letters.

(3) List the supporting facts:

Jan or Feb of 2023 I put in a sick
call over my eye. My boss in the
Kitchen in Apr. sent me to medical
they made an appointment for me. ^{that I} never
went.

(4) Relief requested: (State briefly exactly what you want the court to
do for you.)

I want 10,000,000.00 for my
suffering over my disability I have now.
that's for life. after 2 experts advised
me they could have saved my vision! →

2. Claim II:

(1) List the right that you believe was violated:

The right to go and be with out Cruel
and unusual punishment.

(2) List the defendant(s) to this claim: (If you have sued more than one
defendant, specify each person or entity that is a defendant for this
particular claim.)

TurnKey Health Clinic's L.L.C.
Tommy Johnson III (Okla. County Sher. A)
Oklahoma County Board of Comm. 55/6000

(3) List the supporting facts:

They made me suffer the total
lost of my eye sight in my left eye.
With the hope I'd get help. And
now I'm charged for life. Can't defend myself.
I've did that time and my prison time more.

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

I want another \$10,000,000 ^{for} this.
And who ever the gate keeper is in
my case. I saw a statute that said
they should get a year in county and a
\$1000 fine.

If there are more than two claims that you wish to assert, describe the additional claims using this same format on a separate sheet(s).

It found guilty for crime and
unusual punishment.

VI. Declarations

I declare under penalty of perjury that the foregoing is true and correct.

Norval G. Barrette
Plaintiff's Signature

12-11-24
Date

I further declare under penalty of perjury that I placed this complaint in the
prison's legal mail system, with the correct postage attached, on the 16th day of
Dec., 2024.

Norval G. Barrette
Plaintiff's signature

12/16/24
Date